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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,002	01/05/2001	Keith G. Kaan	09428/184001	4662

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OSHA . LIANG L.L.P. / SLB
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER	
SHINGLES, KRISTIE D	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/755,002	KAAN ET AL.	
	Examiner	Art Unit	
	Kristie Shingles	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-20,30 and 31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-20, 30 and 31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Per Applicant's Request for Continued Examination
Claims 1-3, 9, 10, 12-15 and 18-20 have been amended.
Claims 8, 21-29 and 32 have been cancelled.

Claims 1-7, 9-20, 30 and 31 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/16/2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 9 - 11 are objected to under 37 CFR 1.75(c) as being in improper form because they depend on cancelled claim 8. See MPEP § 608.01(n). Correction is required. (Note: In this

Action, for the interest of compact prosecution, Examiner will assume that claims 9, 10 and 11 depend on independent claim 1 and will examine these claims accordingly on the merits).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1-7, 9, 10 and 12-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Leung* (US 6,636,498).

a. **Per claim 1,** *Ward* teaches a system:

- a first network (Abstract, col.3 lines 12-17 and 37-41);
- a data acquisition device (Figures 3-7, col.4 lines 30-65—support device or central site);
- a second network (Abstract, col.3 lines 12-17 and 37-41);
- a router and at least one host wherein the at least one host is configured to communicate with the data acquisition device through the first network, wherein the router is configured to communicate with the at least one host, and wherein the router isolates the at least one host and the data acquisition device from the second network (Figures 3-7, col.4 line 40-col.5 line 16—Figure 3 illustrates the router isolating the central site and support device from the LAN network while other embodiments in Figures 5-7 illustrate the router isolating a host pc and the support device from the WAN network);
- a template file comprising an operating system command associated with the router, wherein the operating system command comprises a variable (col.1 lines 29-39, col.3 lines 41-52—router image file comprises operating system

commands for the router, wherein the commands comprise a version number); and

- a manager program for executing by a processor of the at least one host to assemble first configuring instructions from the template file for configuring the router, wherein network communication is established among the at least one host, the router and a host on the second network responsive to the configuring of the router, and the configuring does not disrupt communication on the first network between the at least one host and the data acquisition device (Figures 2-7, col.3 line 37-col.5 line 41, col.8 lines 7-14—a manager program of the central site assemble updated configuration version of router image and sends it to the support device and host PC which are responsive to the updated router image without disrupting communication on the networks),

- wherein the manager program interprets the variable during assembly of the first configuring instructions (col.5 lines 26-41—central site outputs the version number of the router image to be distributed).

Although *Ward* teaches the above limitations including a router situated between two networks and receiving configuration commands from a host device of one of the networks, *Ward* fails to explicitly a mobile data acquisition unit consisting of the router and the least one host. However, *Leung* teaches implementation of a mobile IP unit, which consists of a Home Agent and a mobile router; wherein routing information is exchanged between the router and the Home Agent (Figures 1-2, col.5 line 66-col.6 line 30, col.6 lines 62-67, col.7 lines 31-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* with *Leung* for the purpose of provisioning a mobile unit consisting of the router and host in order to provide portability for the router and host. Mobile/wireless and portable routers are well-known in the art for usability in conjunction with mobile/wireless hosts.

b. **Claim 12** contain limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

c. **Per claim 2,** *Ward* with *Leung* teach the system of claim 1, wherein the at least one host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the at least one host and the router is established by the at least one host recognizing the router identity (*Ward*: col.1 lines 30-39, col.8 lines 32-37; *Leung*: Abstract, col.3 lines 39-46, col.6 lines 30-61).

d. **Claim 13** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Ward* with *Leung* teach the system of claim 2, *Leung* further teaches wherein the configuring, includes setting parameters in the router for a network connection between the router and the second network, so that the network communication between the second network host and the router is established by the host on the second network recognizing the router identity via the network connection (Abstract, col.5 line 54-11, col.6 line 30-col.7 line 30).

f. **Claim 14** is substantially similar to claim 3 and is therefore rejected under the same basis.

g. **Per claim 4**, *Ward* with *Leung* teach the system of claim 1, *Ward* further teaches wherein the router comprises a processor, and wherein execution of the configuring instructions by the router processor automatically performs the router configuring (col.3 lines 12-18, col.4 lines 44-53, col.5 line 66-col.6 line 20, col.7 lines 10-14).

h. **Per claim 5**, *Ward* with *Leung* teach the system of claim 4, *Ward* further teaches wherein the system comprises second configuring instructions for executing by the router processor upon booting (col.3 line 43-col.4 line 4, col.5 lines 42-64, col.11 lines 1-3).

i. **Claim 15** is substantially similar to claim 5 and is therefore rejected under the same basis.

j. **Per claim 6**, *Ward* with *Leung* teach the teach system of claim 5, *Ward* further teaches wherein the router comprises a storage unit and the second configuring instructions include instructions stored in a configuration file on the router storage unit (col.3 lines 23-65, col.4 lines 45-53).

k. **Claim 16** is substantially similar to claim 6 and is therefore rejected under the same basis.

l. **Per claim 7,** *Ward* with *Leung* teach the system of claim 5, *Ward* further teach wherein the router comprises a reader for reading a portable storage device, and the second configuring instructions include instructions stored on an external storage device readable by the router's reader (col.3 lines 20-36, col.4 lines 24-65, col.8 lines 32-51).

m. **Claim 17** is substantially similar to claim 7 and is therefore rejected under the same basis.

n. **Per claim 9,** *Ward* with *Leung* teach the system of claim 8**[1]**, *Leung* further teaches wherein the first configuring instructions include parameters for performing a network login to initialize the network communication on the first network between the router and the at least one host (col.5 lines 33-40).

o. **Claim 18** is substantially similar to claim 9 and is therefore rejected under the same basis.

p. **Per claim 10,** *Ward* with *Leung* teach the system of claim 8**[1]**, *Leung* further teaches wherein the configuring instructions include configuring the router to substitute a network address of the router in place of a network address of the at least one host for communicating from the at least one host to the host on the second network (col.6 lines 31-47, col.7 line 31-col.8 line 29, col.10 line 19-col.11 line 14).

q. **Claim 19** is substantially similar to claim 10 and is therefore rejected under the same basis.

3. **Claims 11 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Leung* (US 6,636,498) and further in view of *Isfeld et al* (US 5,802,278).

a. **Per claim 11**, *Ward* with *Leung* teach the system of claim 8**[1]** as applied above, yet fail to distinctly teach the system of claim 8, wherein the configuring includes configuring the router to not send addresses of nodes in the first network to other routers. However, *Isfeld et al* teach a bridge server having states "BLOCKING" or "DISABLED" which can inhibit or prohibit the transmission of addresses (col.51 lines 33-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* and *Leung* with *Isfeld et al* for the purpose of permitting particular formatting configurations for the router; because it would provide extendibility and security for configuring the router in various modes based on the administrator options and/or preferences.

b. **Claim 20** is substantially similar to claim 11 and is therefore rejected under the same basis.

4. **Claims 30 and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Leung* (US 6,636,498) and further in view of *Applicant Admitted Prior Art* (hereafter referred to as—*AAPA*).

a. **Per claim 30,** *Masilamany* and *Reichmeyer et al* teach the method of claim 1 as applied above, yet fail to explicitly teach wherein the data acquisition device comprises a down-hole transmitter. However, *AAPA* discloses a down-hole transmitter as a data acquisition device in communication with a host on a LAN (page 1 paragraph 0008). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* and *Leung* with *AAPA* in order to incorporate the data acquisition abilities of a down-hole transmitter into the system because of the its data acquisition and transmission capabilities allow it to obtain and transmit well-drilling/well-logging data.

b. **Claim 31** contain limitations that are substantially similar to claim 30 and is therefore rejected under the same basis.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: McNeill et al (6,167,052), La Porta et al (2002/0057657), Harvey (5,867,666), Okanoue et al (5,883,890), Whitmore et al (2006/0203804), Watanuki et al (6,172,986), Fougerat (6,775,694).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER